

**UNITED STATES BANKRUPTCY COURT
WESTERN DISTRICT OF VIRGINIA
HARRISONBURG DIVISION**

IN RE: : Case No. 18-50438

GARY ALAN HESS : Chapter 11
BETTY KAREN HESS :
Debtor : Judge Rebecca B. Connolly

NOTICE OF HEARING ON OBJECTION TO CLAIM #4

PLEASE TAKE NOTICE that the above Debtors, by counsel, have herein filed an objection to your claim in this bankruptcy case.

Your claim may be reduced, modified, or eliminated. You should read these papers carefully and discuss them with your attorney, if you have one.

If you do not want to court to eliminate or change our claim, then on or before **THIRTY (30) DAYS FROM THE DATE OF THIS NOTICE**, you or your attorney must:

1. File with the court a written response to the objection at:

Clerk, U.S. Bankruptcy Court,
116 N. Main Street, Room 223, Harrisonburg, VA 22802

2. If you mail your response to the court for filing, you must mail it early enough so the court will receive it on or before the date stated above.

3. You must also mail a copy to:

Hannah W. Hutman, Esq.
342 S. Main Street
Harrisonburg, VA 22801

4. Attend the hearing scheduled to be held on **August 21, 2019 at 11:00 A.M., at United States Courthouse, 116 North Main Street, Harrisonburg, VA 22802.**

IF NO WRITTEN RESPONSE TO THE CLAIM OBJECTION IS FILED WITHIN THIRTY (30) DAYS FROM THE DATE OF THE OBJECTION AND NOTICE, AN ORDER SUSTAINING THE OBJECTION WILL BE ENTERED WITHOUT FURTHER NOTICE AND HEARING, AND THE CREDITOR WILL BE BARRED FROM RESPONDING TO THE OBJECTION TO CLAIM, AND THE HEARING SET FORTH HEREIN WILL BE CANCELLED.

/s/ Hannah W. Hutman

Hannah W. Hutman, Counsel for Debtors

CERTIFICATE OF SERVICE

I hereby certify that I have served the Notice of Hearing and Objection to Claim #22 on the claimant by Certified and Registered Mail, Return Receipt first-class mail to the person most recently designated on the claimant's original or amended proof of claim as the person to receive notices, at the address so indicated, as follows; and (i) if the objection is to a claim of the United States, or any of its officers or agencies, in the manner provided for service of a summons and complaint by Rule 7004(b)(4) or (b); or (ii) if the objection is to a claim of an insured depository institution, in the manner provided by Rule 7004(h):

Branch Banking & Trust Company PO Box 1847, 100-50-01-51 Wilson, SC 27894	Branch Banking & Trust Company c/o Kelly S. King, CEO 200 W. 2 nd Street Winston-Salem, NC 27101
---	--

DATED: June 3, 2019

/s/ Hannah W. Hutman
Hannah W. Hutman, Counsel for Debtors

**UNITED STATES BANKRUPTCY COURT
WESTERN DISTRICT OF VIRGINIA
HARRISONBURG DIVISION**

IN RE: : **Case No. 18-50438**

GARY ALAN HESS : **Chapter 11**
BETTY KAREN HESS :
Debtor : **Judge Rebecca B. Connolly**

Come now the Debtors, by counsel, and object to Claim No. 4, filed by Branch Banking & Trust Company (the “Claimant”), in support of which the Debtors state as follows:

1. Claim No.4, filed by the Claimant on May 15, 2018 asserts a claim against the Debtors in the amount of \$266,621.95 in connection with a promissory note secured by a Deed of Trust on the Debtors’ principal residence.

2. Debtors dispute the claim amount, arrearage amount, and charges and fees stated in the Proof of Claim.

3. Additionally, Debtors state that the claim filed by Claimant, as evidenced by the documents attached to Claim No. 4, is a duplicate of Claim No. 22 filed by the United States Small Business Administration.

WHEREFORE, Debtors object to the amount of the claim, and ask that the duplicate claim be disallowed, and for such other relief as the Court deems appropriate.

Dated: June 3, 2019

**GARY ALAN HESS
BETTY KAREN HESS
By Counsel**

By: /s/ Hannah W. Hutman
Hannah W. Hutman, Esquire (VSB#79635)
hhutman@hooverpenrod.com
HOOVER PENROD PLC
342 South Main Street
Harrisonburg, Virginia 22801
540/433-2444
540/433-3916 (Facsimile)
Counsel for Debtors